

Order

Michigan Supreme Court
Lansing, Michigan

December 14, 2007

Clifford W. Taylor,
Chief Justice

130484

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

BONNIE AMON, Successor Personal
Representative of the Estate of Ann Marie
Samodell, Deceased,
Plaintiff-Appellant,

v

SC: 130484
COA: 260252
Oakland CC: 2002-046057-NH

BOTSFORD GENERAL HOSPITAL,
and ROBERT F. SCHIRMER, D.O.,
Defendants-Appellants/
Cross-Appellees.

By order of April 13, 2007, the application for leave to appeal the December 27, 2005 judgment of the Court of Appeals was held in abeyance pending the decision in *Mullins v St Joseph Mercy Hosp* (Docket No. 131879). On order of the Court, the case having been decided on November 28, 2007, ___ Mich ___ (2007), the application is again considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REVERSE the judgment of the Court of Appeals, REINSTATE the order of the Oakland Circuit Court denying the defendants' motion for summary disposition, and REMAND this case to the Oakland Circuit Court for further proceedings not inconsistent with this order and the order in *Mullins*. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining question presented should be reviewed by this Court.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 14, 2007

Corbin R. Davis

Clerk